

1 Ryan Gile, Esq.
rg@gilelawgroup.com
2 Nevada Bar No. 8807
GILE LAW GROUP LTD.
3 1180 N. Town Center Drive, Suite 100
Las Vegas, NV 89144
4 Tel. (702) 703-7288

5 Attorney for Defendants *Nuu3 Nutrition LLC,*
Brendan O'Shea, and Danny O'Shea

6 **UNITED STATES DISTRICT COURT**

7 **DISTRICT OF NEVADA**

8 HARPO, INC. and OW LICENSING) **Case No. 2:23-cv-00899-JCM-VCF**
9 COMPANY, LLC,)
10 Plaintiffs,) **STIPULATION AND ORDER FOR**
11 v.) **EXTENSION OF TIME TO ANSWER OR**
12 NUU3 NUTRITION LLC, BRENDAN) **OTHERWISE RESPOND TO**
O'SHEA, and DANNY O'SHEA,) **COMPLAINT**
13 Defendants.)
14 _____) **(Sixth Request)**

15 Pursuant to Federal Rule of Civil Procedure 6(b)(1) and Local Rule IA 6-1, Plaintiffs
16 Harpo, Inc. and OW Licensing Company, LLC (“Plaintiffs”), by and through their counsel of
17 record, and Defendants Nuu3 Nutrition LLC, Brendan O’Shea, and Danny O’Shea (“Defendants”),
18 by and through their counsel of record, hereby agree and stipulate to an extension of time to
19 February 15, 2024, for the Defendants to file and serve their answer or otherwise respond to the
20 Complaint (ECF No. 1).

21 Defendant Nuu3 Nutrition LLC was served on July 12, 2023. On August 1, 2023, the
22 parties filed a stipulation to extend Nuu3 Nutrition LLC’s deadline to answer or otherwise respond
23 to the Complaint to September 1, 2023 (ECF No. 20), which was granted by the Court on August
24 3, 2023 (ECF No. 21).

25 Defendant Brendan O’Shea was served on July 22, 2023. On August 14, 2023, the parties
26 filed a stipulation to extend Brendan O’Shea’s deadline to answer or otherwise respond to the
27 Complaint to September 1, 2023 (ECF No. 23), which was granted by the Court on August 14,
28 2023 (ECF No. 24).

1 Defendant Danny O’Shea was served on August 9, 2023.

2 On August 24, 2023, the parties filed a stipulation to extend the deadline for all Defendants
3 to answer or otherwise respond to the Complaint to October 2, 2023 (ECF No. 26), which was
4 granted by the Court on September 5, 2023 (ECF No. 28).

5 On September 25, 2023, the parties filed a stipulation to extend the deadline for all
6 Defendants to answer or otherwise respond to the Complaint to November 1, 2023 (ECF No. 29),
7 which was granted by the Court on September 25, 2023 (ECF No. 30).

8 On October 23, 2023, the parties filed a stipulation to extend the deadline for all Defendants
9 to answer or otherwise respond to the Complaint to December 1, 2023 (ECF No. 31), which was
10 granted by the Court on October 25, 2023 (ECF No. 32).

11 On November 27, 2023, the parties filed a stipulation to extend the deadline for all
12 Defendants to answer or otherwise respond to the Complaint to January 15, 2024 (ECF No. 33),
13 which was granted by the Court on November 28, 2023 (ECF No. 34).

14 The parties now agree that the Defendants shall have up to and including February 15,
15 2024, to answer or otherwise respond to the Complaint (ECF No. 1). This is the sixth request by
16 the Defendants Nuu3 Nutrition LLC and Brendan O’Shea and the fifth request by Defendant
17 Danny O’Shea.

18 Good cause for this request exists because counsel for Plaintiffs and Defendants remain
19 actively engaged in good faith settlement discussions in order to try and resolve this matter.
20 Plaintiffs presented a settlement proposal in the form of a draft written settlement agreement to
21 Defendants on November 6, 2023. On Friday, November 8, 2023, counsel for the parties discussed
22 the settlement proposal and discussed early production by both sides of backup information
23 supporting each side’s respective settlement positions. Both sides have exchanged information
24 and have engaged in continued dialogue regarding possible terms of settlement based on the shared
25 information. As such, the parties require additional time to continue such settlement efforts and
26 to work out the possible terms and conditions of a settlement.

27 Accordingly, this Stipulation is made for good cause and not for purposes of delay.
28

1 For the foregoing reasons, the parties hereby stipulate and agree to extend the deadline for
2 Defendants to answer or otherwise respond to the Complaint to February 15, 2024.

3 DATED: January 5, 2024

4 **IT IS SO AGREED AND STIPULATED:**

5 **LEWIS ROCA ROTHGERBER CHRISTIE LLP GILE LAW GROUP LTD.**

6 /s/ Meng Zhong

7 Michael J. McCue
Nevada Bar No. 6055
8 Meng Zhong
Nevada Bar No. 12145
9 3993 Howard Hughes Parkway, Suite 600
Las Vegas, NV 89169
10 T: (702) 949.8200
E-mail: MMcCue@LewisRoca.com
E-mail: MZhong@LewisRoca.com

6 /s/ Ryan Gile

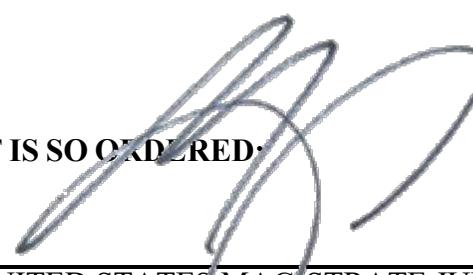
7 Ryan Gile, Esq.
Nevada Bar No. 8807
1180 N. Town Center Drive
8 Suite 100
Las Vegas, NV 89144
Tel. (702) 703-7288
rg@gilelawgroup.com

12 Fara S. Sunderji (admitted pro hac vice)
DORSEY & WHITNEY LLP
13 51 West 52nd Street
New York, NY 10019
14 (212) 415-9200
15 E-mail: sunderji.fara@dorsey.com

16 *Attorney for Defendants Nuu3
Nutrition LLC, Brendan O'Shea, and
Danny O'Shea*

16 John Marti (admitted pro hac vice)
17 Caitlin Hull (admitted pro hac vice)
DORSEY & WHITNEY LLP
18 50 South Sixth Street, Suite 1500
Minneapolis, MN 55402
19 (612) 340-2600
20 E-mail: marti.john@dorsey.com
E-mail: hull.caitlin@dorsey.com

21 *Attorneys for Plaintiffs Harpo, Inc.
and OW Licensing Company, LLC*

22 
IT IS SO ORDERED.

23
24
25
26
27
28
UNITED STATES MAGISTRATE JUDGE

DATED: 1-9-2024

1 **CERTIFICATE OF SERVICE**

2 I hereby certify that on January 5, 2024, I electronically filed the foregoing document with
3 the Clerk of the Court using CM/ECF. I further certify that a true and correct copy of the foregoing
4 document is being served via transmission of Notices of Electronic Filing generated by CM/ECF
5 to all participants in the case who are registered CM/ECF users.

6
7 */s/ Ryan Gile*
8 Employee, Gile Law Group Ltd.
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28